TENNESSEE DEPARTMENT OF PUBLIC HEALTH

OFFICE CORRESPONDENCE

DATE: 10/11/68

W. H. Martin + V. W. Mc Coy

S. L. Jones

SUBJECT: L. + N. Ry, -Radner Yards, Mashville

0096r FROM SLJ WHM IHC 10/14 1 WM 10/16

Mr. Wiggins telephoned on Oct. 11, 1968 The pondwell be drained by 10/15/68. Are looking for a pond sealer. The dye convinced them that it was leaking. Have a separator to take oil offwatter. Oil on ground procedure her been changed. Have stopped spellage.

Mr. John Webb will be in charge. He can be contacted

through Sept Wares office.

2 suggest eve have someone inspect the pond while it is drained. If possible we should get Ollie Smith or Bill Hardeman to also look at it, I would hat to see a half way patch job, Also we need to determine if the oil separator will be effecient enough to discharge effluent into Browne Creek.

I suggest we proceed with the notice of bearing to insure that the problem will be corrected.

44

EXHIBIT 440

Summary on L & N Railway Company (Radnor Yards)

Nashville, Tennessee

Since 1961, the Staff of the Board has been in close contact with L & N officials regarding the problems created by the discharge of waste diesel fuel and other oils from the Radnor Yards. This wastewater discharges into a small drainage ditch that flows through business and residential areas into Browns Creek, a tributary of the Cumberland River. The volume of industrial wastewater is variable depending on several factors, however, the constituents of this wastewater contribute materially to the pollution problem in the area. This material being primarily diesel fuel, detergents and varying amounts of lubricating oils.

The matter was referred to the Board and a resolution was adopted at the November, 1963, Board meeting. The resolution instructed the officials of L & N Railway Company to proceed with the construction of the necessary corrective works.

In September of 1964 plans for waste treatment were discussed and by May of 1965 the pond designed to retain the wastewater with subsequent oil removal from the pond and oil separation was being provided. In September of 1965 there was evidence that indicated that the pond had developed a leak. Although this corrected the original complaints it was pointed out that this leak and accompanying flow could very possibly enter a ground water acquifer feeding into a private water supply. By September of 1966 we began to receive complaints from an adjacent property owner regarding

the condition of a spring which was being used for a potable water supply as well as for stock watering purposes. This matter was called to the attention of the railway officials with the suggestion that the matter be further pursued and appropriate action taken to alleviate the problem. It was found through analytical procedures that there was a definite relationship between the waste material in the pond and that material which was contaminating the private water supply.

Further communication has been submitted to the L & N officials regarding the need for corrective action. We are of the opinion that a Notice of Hearing must be issued in order to expedite action on this matter.